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3 UNITED STATES DISTRICT COURT  
4 WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 LONNIE HOUSE,

7 Plaintiff,

8 v.

9 JUDGE STONER, et al.,

10 Defendants.

Case No. C12-5093BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION


11 This matter comes before the Court on the Report and Recommendation (“R&R”) of  
12 the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 14) and Plaintiff  
13 Lonnie House’s (“House”) objections to the R&R (Dkts. 15, 16, & 17).

14 On March 29, 2012, Judge Strombom issued the R&R recommending that the Court  
15 dismiss House’s complaint without prejudice because the claims are not currently  
16 “cognizable under 42 U.S.C. § 1983.” Dkt. 14 at 5. House is contesting the propriety of his  
17 conviction in state court and requesting a new trial as well as monetary damages. *See* Dkt.  
18 13. These claims are not cognizable in a 42 U.S.C. § 1983 action. *See Heck v. Humphrey*,  
512 U.S. 477, 486-87 (1994).

19 The Court having considered the R&R, House’s objections, and the remaining record,  
20 does hereby find and order as follows:

- 21 (1) The R&R is **ADOPTED**; and  
22 (2) This action is **DISMISSED without prejudice**.

23 DATED this 24<sup>th</sup> day of April 2012.

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26 BENJAMIN H. SETTLE  
27 United States District Judge

28 ORDER